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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/594,774	Applicant(s) SHINDO ET AL.	
	Examiner MARY ANNE KAY	Art Unit 2426	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Status of Claims

1. Claims 1-6 and 9-18 are pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader et al. (U.S. PGPub 2002/0166123 A1, referred to as **Schrader**) in view of Nejime et al. (U.S. Patent 7,272,843, referred to as **Nejime**), Paragraph 16. below applies.

Claim 1

Schrader teaches:

An accumulation display device comprising:

a reception unit that receives a currently broadcasted program content, index information associating a currently broadcasted program content with an index and specifying a scene of the program and trigger information including mode information for special reproduction of the program content and constituting metadata with the index information (**Schrader ¶¶ 0055-**

0056, 0120; Examiner's Note (EN): Client receiver receive content with index and metadata with triggering information. Paragraph 16. below applies);

an accumulation unit that accumulates the program content, the index information and the trigger information (**Schrader ¶¶ 0054, 0120; EN:** content, index, and information about the triggering event is recorded. Paragraph 16. below applies);

a metadata interpretation unit that interprets the index information and the trigger information of the currently broadcasted or the accumulated program content and outputs mode information for special reproduction (**Schrader ¶ 0134; EN:** Metadata unit include playback information for special inquiries. Paragraph 16. below applies); and

an accumulated image processing unit that extracts at least a part of the accumulated program content based on the mode information from the trigger information, restructures the program content extracted based on the mode information, and outputs the restructured program content (**Schrader ¶¶ 0066-0067; EN:** Highlight logs of the content are used by the client system for assembling the content according to specific playback modes. Paragraph 16. below applies),

the accumulated image processing unit further extracts at least a part of the program content from the index information based on contents of the trigger information, restructures the program content extracted based on

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the mode information, and outputs the restructured program content
(**Schrader** ¶ 100; EN: Trigger notifies recorder to record event without
user intervention. Paragraph 16. below applies.)

Schrader fails to teach:

the index information includes a program ID for identifying a program
corresponding to the index information. an ID for identifying the index
information start time data of the corresponding program, and finish time
data of the corresponding program.

Nejime teaches:

the index information includes a program ID for identifying a program
corresponding to the index information. an ID for identifying the index
information start time data of the corresponding program, and finish time
data of the corresponding program (**Nejime** C6:6-41; EN: Start and end
time in auxiliary information).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the
invention was made to modify the teachings of **Schrader** with the program ID as
taught by **Nejime** providing making it possible to play back the program in a
mode interlocked with auxiliary information with the auxiliary information used as
a supplement to broadcast information.

Claim 2

Schrader teaches:

wherein the trigger information includes mode information for performing special reproduction of **at least anyone** of interlocked reproduction, replay reproduction, highlight reproduction, and follow reproduction of a currently viewed program content (**Schrader ¶ 100**; EN: Trigger notifies of extended video recording. Paragraph 16. below applies).

Claim 3

Schrader teaches:

further comprising a display unit that displays the currently broadcasted or the accumulated program content and the mode information for special reproduction (**Schrader Fig. 5 el. 122; ¶ 0077**; EN; Display device).

Claim Rejections - 35 USC § 103

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Schrader** in view of Shteyn (U.S. PGPub 2002/0144007 A1, referred to as **Shteyn**), Paragraph 16. below applies.

Claim 4

Schrader teaches:

wherein the accumulated image processing unit extracts at least a part of the accumulated program content based on trigger information received after the request or the latest trigger information of the request, and outputs the restructured program content (**Schrader ¶¶ 0066-0067**; EN: Highlight logs of the content are used by the client system for assembling the content according to specific playback modes. Paragraph 16. below applies).

Schrader fails to teach:

according to a request of mode information for special reproduction from a sub-display device receiving a restructured program content.

Shteyn teaches:

according to a request of mode information for special reproduction from a sub-display device receiving a restructured program content (**Shteyn** ¶ 0031; EN: Information in the meta-data enables the user to receive information from the set-top box that has been received from a broadcaster. Examiner interprets that there is additional information in meta-data regarding structure of information to be sent to user. Paragraph 16. below applies).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the meta-data information as taught by **Shteyn** providing information content associated with the network.

Claim Rejections - 35 USC § 103

5. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Schrader** in view of **Shteyn** in further view of Kinno et al. (U.S. PGPub 2003/0154217 A1, referred to as **Kinno**), Paragraph 16. below applies.

Claim 5

Schrader fails to teach:

a sub-display device management unit that manages terminal information including a terminal ID and performance of at least one mobile data terminal receiving a restructured program content Hamano, wherein the accumulated image processing unit processes and outputs a program content according to performance of each sub-display device.

Shteyn teaches:

wherein the accumulated image processing unit processes and outputs a program content according to performance of each sub-display device (**Shteyn** ¶ 0061; EN: Each device may be different).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the specific client configuration as taught by **Shteyn** providing output in accordance with the user's preferences and the preferred service providers.

Schrader fails to teach:

a sub-display device management unit that manages terminal information including a terminal ID and performance of at least one sub-display device receiving a restructured program content.

Kinno teaches:

a sub-display device management unit that manages terminal information including a terminal ID and performance of at least one mobile data terminal receiving a restructured program content (**Kinno** Fig. 18, el.

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1501; ¶¶ 0025, 0126-0131; EN: Examiner interprets the user identification as the terminal ID and mobile networks are included. Examiner interprets that mobile data terminals are included. Paragraph 16. below applies),

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the management unit as taught by **Kinno** providing a process regarding the information delivery system.

Claim 6

Schrader teaches:

an input unit that receives an input from a user (**Schrader** ¶ 0083; EN: User input interface which receives input control signals from an input device);

Schrader fails to teach:

a transmission unit that transmits user select information received by the input unit to the accumulation display device;

a reception unit that receives a program content restructured based on the user select information from the accumulation display device; and

a display unit that displays the received and restructured program content.

Shteyn teaches:

a reception unit that receives PUSH delivery of a program content restructured based on the user select information from the accumulation display device (**Shteyn** ¶¶ 0017-0018);

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Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the automatic delivery as taught by **Shteyn** providing privacy and user control on user information content associated with the network.

Schrader fails to teach:

a transmission unit that transmits user select information received by the input unit to the accumulation display device;
a display unit that displays the received and restructured program content.

Kinno teaches:

a transmission unit that transmits user select information received by the input unit to the accumulation display device (**Kinno** ¶ 0020; EN: Client generates request that is received at the information server which implies that the mobile data terminal can transmit. Paragraph 16. below applies);
a display unit that displays the received and restructured program content (**Kinno** Fig. 2, el. 100, 101; ¶¶ 0008, 0011; EN: media server delivers media to client terminal which implies that client terminal has a display. Messages exchanged with media server indicate that the client terminal has a display. Paragraph 16. below applies).

Rationale:

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the transmitter and display unit as taught by **Kinno** providing for client input to the accumulation unit.

Claim Rejections - 35 USC § 103

6. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Schrader** in view of **Kinno** in further view of Gardere et al. (U.S. Patent 6,678,332, referred to as **Gardere**) in further view of Zander et al. (U.S. Patent 6,360,218, referred to as **Zander**), Paragraph 16. below applies.

Claim 9

Schrader fails to teach:

wherein the index information further includes meaning information describing contents of a program content specified by an index at a keyword level.

Kinno teaches:

wherein the index information further includes meaning information describing contents of a program content specified by an index at a keyword level
(**Kinno** ¶ 0021).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the description as taught by **Kinno** providing information for the client.

Claim 11

Schrader fails to teach:

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mode information for identifying the trigger information;
thereby specifying timing transmitting at least a part of the program content to the
mobile data terminal;
wherein the trigger information includes a program ID for identifying a program
corresponding to the trigger information;
a specified index ID for identifying specified index information.

Shteyn teaches:

mode information for identifying the trigger information (**Shteyn** ¶ 0031; EN:
Information in the meta-data enables the user to receive information from
the set-top box that has been received from a broadcaster. Examiner
interprets that there is additional information in meta-data regarding
structure of information to be sent to user. Paragraph 16. below applies),

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the
invention was made to modify the teachings of **Schrader** with the meta-data
information as taught by **Shteyn** providing information content associated with
the network.

Schrader fails to teach:

thereby specifying timing transmitting at least a part of the program content to the
mobile data terminal.

Kinno teaches:

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thereby specifying timing transmitting at least a part of the program content to the mobile data terminal (**Kinno** ¶ 0010; EN: Start time and Finish time retrieved).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the timeframe as taught by **Kinno** providing information to the client for appropriate scene retrieval.

Schrader fails to teach:

wherein the trigger information includes a program ID for identifying a program corresponding to the trigger information.

Gardere teaches:

wherein the trigger information includes a program ID for identifying a program corresponding to the trigger information (**Gardere** C26:23-30; EN: The clip identification attributes are analogous to the attributes in the metadata index attributes. Paragraph 16. below applies).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the program ID as taught by **Gardere** providing identification of the components in the stream.

Schrader fails to teach:

a specified index ID for identifying specified index information.

Zander teaches:

a specified index ID for identifying specified index information (**Zander** C8:3-5;
EN: Record Identifier),

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the index number as taught by **Zander** providing an ordered index which can be used by the client.

Claim Rejections - 35 USC § 103

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Schrader** in view of **Shteyn** in further view of **Kinno** in further view of **Gardere**, Paragraph 16. below applies.

Claim 10

Schrader fails to teach:

mode information for identifying the trigger information.

start time specifying an extracted scene, and extraction time, thereby specifying timing transmitting at least a part of the program content to the mobile data terminal;

wherein the trigger information includes one or more of a program ID for identifying a program corresponding to the trigger information.

Shteyn teaches:

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mode information for identifying the trigger information (**Shteyn ¶ 0031**),

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the meta-data information as taught by **Shteyn** providing information content associated with the network.

Schrader fails to teach:

start time specifying an extracted scene, and extraction time, thereby specifying timing transmitting at least a part of the program content to the mobile data terminal, wherein the trigger information includes one or more of a program ID for identifying a program corresponding to the trigger information.

Kinno teaches:

start time specifying an extracted scene, and extraction time, thereby specifying timing transmitting at least a part of the program content to the mobile data terminal (**Kinno ¶¶ 0089-0092**).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the times as taught by **Kinno** providing verification of the sequence information according to a request of the controlling media received from client terminal.

Schrader fails to teach:

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wherein the trigger information includes one or more of a program ID for
identifying a program corresponding to the trigger information.

Gardere teaches:

wherein the trigger information includes one or more of a program ID for
identifying a program corresponding to the trigger information (**Gardere**
C26:23-30; EN: Paragraph 16. below applies).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the
invention was made to modify the teachings of **Schrader** with the program ID as
taught by **Gardere** providing program information identification numbers to allow
the appropriate viewing according to the authorization of the client.

Claim Rejections - 35 USC § 103

8. Claims 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable
over **Schrader** in view of **Kinno** in further view of Munetsugu et al. (U.S. Patent
7,134,074, referred to as **Munetsugu**).

Claim 12

Schrader fails to teach:

wherein the trigger information further includes meaning information describing a
program content associated with index information at a keyword level;
grading index information of weight of the meaning information according to a
degree of importance of the program content.

Kinno teaches:

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wherein the trigger information further includes meaning information describing a program content associated with index information at a keyword level (**Kinno ¶ 0021**),

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the keywords as taught by **Kinno** providing information for the client.

Schrader fails to teach:

grading index information of weight of the meaning information according to a degree of importance of the program content.

Munetsugu teaches:

grading index information of weight of the meaning information according to a degree of importance of the program content (**Munetsugu C5:49-C6:22**; EN: Importance of partial program taken into account during restructuring).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the Importance as taught by **Munetsugu** providing importance information based on criteria concerning the client that is decided at the broadcaster.

Claim 15

Schrader teaches:

wherein the trigger information includes accumulation instruction information instructing accumulation of the corresponding program content (**Schrader** ¶ 0128; EN: Data alert is analogous with instruction to link additional programming).

Claim Rejections - 35 USC § 103

9. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Schrader** in view of Hoshino et al. (U.S. PGPub 2004/0249861 A1, referred to as **Hoshino**) in further view of **Munetsugu**.

Claim 13

Schrader fails to teach:

wherein the accumulated image processing unit adds, to the restructured program content, superimpose information displayed as an image separate from the program content, and changes and restructures time of each partial program content at restructuring the partial program content based on meaning information included in the trigger information and the index information

Hoshino teaches:

wherein the accumulated image processing unit adds, to the restructured program content, superimpose information displayed as an image separate from the program content (**Hoshino** ¶¶ 0207-208; EN: Metadata converted to video data for superimposition).

Rationale:

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the metadata as taught by **Hoshino** providing synthesized video signal for the client.

Schrader fails to teach:

changes and restructures time of each partial program content at restructuring the partial program content based on meaning information included in the trigger information and the index information.

Munetsugu teaches:

changes and restructures time of each partial program content at restructuring the partial program content based on meaning information included in the trigger information and the index information (**Munetsugu** C5:49-C6:22; EN: Importance of partial program taken into account during restructuring).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the importance as taught by **Munetsugu** providing importance information based on criteria concerning the client that is decided at the broadcaster.

Claim 14

Schrader fails to teach:

wherein the superimpose information is generated using any of meaning information of trigger information, a trigger name, and meaning information of index information.

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Hoshino teaches:

wherein the superimpose information is generated using any of meaning information of trigger information, a trigger name, and meaning information of index information (**Hoshino ¶¶** 0207-208; EN: Metadata converted to video data for superimposition).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the metadata as taught by **Hoshino** providing synthesized video signal for the client.

Claim Rejections - 35 USC § 103

10. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Schrader** in view of **Nejime** in further view of Sibley et al. (U.S. Patent 7,302,224, referred to as **Sibley**) in further view of **Shteyn** in further view of **Kinno**, Paragraph 16. below applies.

Claim 16

Schrader teaches:

An interlocked display system comprising:
an accumulation display device including:
a reception unit that receives a currently broadcasted program content, index information associating a currently broadcasted program content with an index and specifying a scene of the program and trigger information including mode information for special reproduction of the program content

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and constituting metadata with the index information (**Schrader ¶¶ 0055-0056, 0120**; Examiner's Note (EN): Client receiver receive content with index and metadata with triggering information. Paragraph 16. below applies);

an accumulation unit that accumulates the program content, the index information and the trigger information (**Schrader ¶¶ 0054, 0120**; EN: content, index, and information about the triggering event is recorded. Paragraph 16. below applies);

a metadata interpretation unit that interprets the index information and the trigger information of the currently broadcasted or the accumulated program content and outputs mode information for special reproduction (**Schrader ¶ 0134**; EN: Metadata unit include playback information for special inquiries. Paragraph 16. below applies); and

an accumulated image processing unit that extracts at least a part of the accumulated program content based on the mode information from the trigger information, restructures the program content extracted based on the mode information, and outputs the restructured program content (**Schrader ¶¶ 0066-0067**; EN: Highlight logs of the content are used by the client system for assembling the content according to specific playback modes. Paragraph 16. below applies);

the accumulated image processing unit further extracts at least a part of the program content from the index information based on contents of the

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trigger information, restructures the program content extracted based on the mode information, and outputs the restructured program content (**Schrader ¶ 100**; EN: Trigger notifies recorder to record event without user intervention. Paragraph 16. below applies.

Schrader fails to teach:

the index information includes a program ID for identifying a program corresponding to the index information, an ID for identifying the index information, starttime data of the corresponding program, and finishtime data of the corresponding program,

a mobile data terminal including:

an input unit that receives an input from a user;

a transmission unit that transmits user select information received by the input unit to the accumulation display device;

a reception unit that receives a program content restructured based on the user select information from the accumulation display device; and

a display unit that displays the received and restructured program content.

Nejime teaches:

the index information includes a program ID for identifying a program corresponding to the index information, an ID for identifying the index information, starttime data of the corresponding program, and finishtime data of the corresponding program (**Nejime C6:6-41**; EN: Start and end time in auxiliary information),

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Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the program ID as taught by **Nejime** providing making it possible to play back the program in a mode interlocked with auxiliary information with the auxiliary information used as a supplement to broadcast information.

Schrader fails to teach:

a mobile data terminal including:
an input unit that receives an input from a user.

Sibley teaches:

an input unit that receives an input from a user (**Sibley** C3:54-62; EN: Unit has button, switches and a menu. Paragraph 16. below applies);

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the input from a user as taught by **Sibley** providing the user the ability to select electronic content broadcasting.

Schrader fails to teach:

a mobile data terminal comprising:
a reception unit that receives a program content restructured based on the user select information from the accumulation display device.

Shteyn teaches:

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a mobile data terminal comprising:

a reception unit that receives a program content restructured based on the user select information from the accumulation display device (**Shteyn ¶¶** 0017-0018);

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the delivery and mode information as taught by **Shteyn** providing privacy and user control on user information content associated with the network and the correct portion of the broadcast.

Schrader fails to teach:

a transmission unit that transmits user select information received by the input unit to the accumulation display device;

a display unit that displays the received and restructured program content.

Kinno teaches:

a mobile data terminal comprising:

a transmission unit that transmits user select information received by the input unit to the accumulation display device (**Kinno ¶** 0020; EN: Client generates request that is received at the information server which implies that the mobile data terminal can transmit. Paragraph 16. below applies);

a display unit that displays the received and restructured program content (**Kinno**

Fig. 2, el. 100, 101; **¶¶** 0008, 0011; EN: media server delivers media to

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client terminal which implies that client terminal has a display. Messages exchanged with media server indicate that the client terminal has a display. Paragraph 16. below applies).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the processing and transmitting and display as taught by **Kinno** providing for client input to the accumulation unit and access privileges of the user implemented based on a search of the user database according to the received media control request.

Claim 17

Schrader fails to teach:

wherein the accumulation display device as a server transmits a restructured program content to the mobile data terminal via a network.

Sibley teaches:

wherein the accumulation display device as a server transmits a restructured program content to the mobile data terminal via a network (**Sibley** Abstract).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the retransmission of programming as taught by **Sibley** providing a system that may be used by multiple users within the local area network.

Claim Rejections - 35 USC § 103

11. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Schrader** in view of **Shteyn** in further view of **Kinno**, Paragraph 16. below applies.

Claim 18

Schrader teaches:

An interlocked display method using an accumulation display device reproducing a currently broadcasted program content and a data terminal interlocking with the accumulation display device to perform special reproduction of the program content, the accumulation display device comprising the steps of:

receiving the currently broadcasted program content, index information associating a currently broadcasted program content with an index and specifying a scene of the program and trigger information including mode information for special reproduction of the program content and constituting metadata with the index information **Schrader ¶¶ 0055-0056, 0120**; Examiner's Note (EN): Client receiver receive content with index and metadata with triggering information. Paragraph 16. below applies); accumulating the program content, the index information and the trigger information (**Schrader ¶¶ 0054, 0120**; EN: content, index, and information about the triggering event is recorded. Paragraph 16. below applies); extracting at least a part of the accumulated program content associated with the index information based on mode information from the trigger information,

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restructuring the program content extracted based on the mode information, and outputting the restructured program content (**Schrader** ¶¶ 0066-0067; EN: Highlight logs of the content are used by the client system for assembling the content according to specific playback modes.

Paragraph 16. below applies), and

Schrader fails to teach:

the data terminal comprising the steps of:

receiving the program content restructured from the accumulation display device;

and

displaying the received and restructured program content.

Shteyn teaches:

receiving the program content restructured from the accumulation display device

(**Shteyn** ¶¶ 0017-0018);

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the delivery and mode information as taught by **Shteyn** providing privacy and user control on user information content associated with the network and the correct portion of the broadcast.

Schrader fails to teach:

displaying the received and restructured program content.

Kinno teaches:

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displaying the received and restructured program content (**Kinno ¶ 0020**; EN:

Client generates request that is received at the information server which implies that the mobile data terminal can transmit. Paragraph 16. below applies).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of **Schrader** with the display as taught by **Kinno** providing for client input to the accumulation unit

Response to Arguments

12. In reference to Applicant's argument:

Applicants' invention, as recited by claim 1, includes features that are neither disclosed nor suggested by the art of record

As acknowledged by the Official Action, Sibley fails to teach a metadata interpretation unit. Thus, Shteyn was combined with Sibley. Shteyn's metadata, however, corresponds only to trigger information. The index information is completely missing from Shteyn.

Originally filed claim 8 includes starttime data and finishtime data. Starttime data and finishtime data is missing from Sibley. Thus, Kinno was used to reject claim 8 and was described in the Official Action as disclosing starttime and finishtime. Kinno's metadata, however, is specifically disclosed as linking text data describing a digest of each scene of the metadata to an address of the scene. Thus, Kinno lacks Applicants' ability to extract specific scene information based on mode information included in the trigger information and restructuring the program content based on the mode information.

It is because Applicants' claim 1 includes trigger information as recited above that, when mode information specifies "replay" as an example of special reproduction, the specific scene information (a part of the program) corresponding to . or necessary for replay reproduction are extracted from the program content, restructured and reproduce. Neither Sibley, Shteyn nor Kinno is able to restructure and reproduce program content based on metadata which includes trigger information and index information. Accordingly, Applicants' claim 1 is patentable over the art of record.

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Claims 16 and 18, while not identical to claim 1, are also patentable over the art of record for reasons similar to those set forth above with regard to claim 1.

Examiner's Response:

Applicant's arguments are persuasive. The rejections of claims 1, 16 and 18 are withdrawn. However, upon further consideration, a new ground(s) of rejection is made for Claim 1 in view of Schrader et al. (U.S. PGPub 2002/0166123 A1) and Nejime et al. (U.S. Patent 7,272,843), for Claim 16 in view of Schrader et al. (U.S. PGPub 2002/0166123 A1) and Nejime et al. (U.S. Patent 7,272,843) and Sibley et al. (U.S. Patent 7,302,224) and Shteyn (U.S. PGPub 2002/0144007 A1) and Kinno et al. (U.S. PGPub 2003/0154217 A1), and for Claim 18 in view of Schrader et al. (U.S. PGPub 2002/0166123 A1) and Shteyn (U.S. PGPub 2002/0144007 A1) and Kinno et al. (U.S. PGPub 2003/0154217 A1).

Examination Considerations

13. The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give the claims their broadest reasonable interpretation in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim should not be read into the claim. *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969) (MPEP p 2100-8, c 2, I 45-48; p 2100-9, c 1, I 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense.

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Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

14. Examiner's Notes are provided with the cited references to prior art to assist the applicant to better understand the nature of the prior art, application of such prior art and, as appropriate, to further indicate other prior art that maybe applied in other office actions. Such comments are entirely consistent with the intent and spirit of compact prosecution. However, and unless otherwise stated, the Examiner's Notes are not prior art but a link to prior art that one of ordinary skill in the art would find inherently appropriate.

15. Unless otherwise annotated, Examiner's statements are to be interpreted in reference to that of one of ordinary skill in the art. Statements made in reference to the condition of the disclosure constitute, on the face of it, the basis and such would be obvious to one of ordinary skill in the art, establishing thereby an inherent prima facie statement.

16. Examiner's Opinion: ¶¶ 13.-15. apply. The Examiner has full latitude to interpret each claim in the broadest reasonable sense.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Correspondence Information

18. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to MARY ANNE KAY whose telephone number is (571)270-5677. The Examiner can normally be reached on Monday - Friday, 8:00 AM - 5:00 PM, EST.

As detailed in MPEP 502.03, communications via Internet e-mail are at the discretion of the Applicant. Without a written authorization by Applicant recorded in the Applicant's file, the USPTO will not respond via e-mail to any Internet correspondence

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which contains information subject to the confidentiality requirement as set forth in 35 U.S.C. 122. A paper copy of such correspondence will be placed in the appropriate patent application. The following is an example authorization which may be used by the Applicant:

Notwithstanding the lack of security with Internet Communications, I hereby authorize the USPTO to communicate with me concerning any subject matter related to the instant application by e-mail. I understand that a copy of such communications related to formal submissions will be made of record in the applications file.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Joseph Hirl can be reached on (571)272-3685. Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks,

Washington, D. C. 20231;

Hand delivered to:

Receptionist,

Customer Service Window,

Randolph Building,

401 Dulany Street,

Alexandria, Virginia 22313,

(located on the first floor of the south side of the Randolph Building);

or faxed to:

(571)273-8300 (for formal communications intended for entry).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Anne Kay
Examiner

/Joseph P. Hirl/
Supervisory Patent Examiner, Art Unit 2426
May 20, 2010